

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
LUBBOCK DIVISION

UNITED STATES OF AMERICA

v.

ISAIAH ALEXANDER ALLEN

No. 5:18-CR-120-C

AMENDED MOTION TO REVOKE PRETRIAL RELEASE

The United States of America requests that this Court revoke the pretrial release of David Neufeld and, in support thereof, would show the Court as follows:

Facts

On November 14, 2018, a federal grand jury indicted Allen for federal cyberstalking and interstate threats. On November 16, 2018, United States Magistrate Judge D. Gordon Bryant, Jr., ordered Allen released with, in relevant part, the terms and conditions of pretrial release set forth below.

Violation of Pretrial Release Conditions

VIOLATION OF CONDITION NO. 7(s)

The defendant shall not use a computer or internet without the permission of the pretrial officer.

On November 17, 2018 – less than 24 hours after appearing in front of this honorable court—Allen violated his terms of pretrial release when he accessed the internet. Specifically, Mr. Allen used a computer to visit www.amazon.com, where he logged into his Amazon account and purchased a USB flash drive and a USB splitter.

Defendant was aware that he was prohibited from using a computer or accessing the internet because (1) he signed his conditions of release indicating he understood each condition; (2) the Honorable Gordon Bryant, Jr., explicitly detailed in open court defendant's prohibition on using a computer or cell phone to access the internet; and (3) defendant admitted to pretrial services and probation officer that he knew he was prohibited from accessing the internet without the permission from a pretrial services officer.

On November 19, 2018, Allen told United States Probation Officer Contessa Romero that he asked "a friend that lived out of state" to access the internet on his behalf. This was not true. On November 21, 2018, Allen admitted in open court that it was he who personally logged onto a computer, accessed www.amazon.com, and ordered various merchandise. These inconsistent statements prove that he lied and more importantly, underscores a fact far more damning than blatant willingness to directly disobey a court order: that is, he cannot be trusted. His deception should disqualify him from pretrial release.

The United States respectfully submits that Allen's pretrial release should be revoked and he should be ordered to the custody of the Attorney General to await further proceedings in this case.

Respectfully submitted,

ERIN NEALY COX
UNITED STATES ATTORNEY

s/ Russell Lorfing
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CERTIFICATE OF SERVICE

On November 28, 2018, I electronically submitted the foregoing document with the clerk of court for the U.S. District Court, Northern District of Texas, using the electronic case filing system of the court. I hereby certify that I have served all counsel and/or *pro se* parties of record electronically or by another manner authorized by Federal Rule of Criminal Procedure 49.

s/ Russell Lorfing
RUSSELL H. LORFING
Assistant United States Attorney